

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 19 1997

Returned to applicant for correction JUL 16 1997

Corrected application filed _____

Map filed MAR 26 1997 UNDER 62879

The applicant City of Reno, City of Sparks, Washoe County, and Sierra Pacific Power Co., by and through Sierra Pacific Power Company hereby makes application for permission to change the Point of Diversion, Manner of Use and Place of Use of water heretofore appropriated under a portion of Claim Nos. 198, 201, 204, 207, 208, 208-1/2, 209, 211, 214, 215 AND 218 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants", in Equity Docket A-3.

1. The source of water is the Truckee River
2. The amount of water to be changed 2.862 c.f.s., not to exceed 554.94 acre feet
3. The water to be used for Municipal and Domestic
4. The water heretofore permitted for as Decreed
5. The water is to be diverted at the following point The points of diversion of Sierra's existing water treatment plants as described in attached EXHIBIT "A" and shown on the map supporting Application No. 58882 on file with the Division of Water Resources, State of Nevada.
6. The existing permitted point of diversion is located within the NE1/4 NW1/4 of Section 19, T.19N., R.19E., MDM at a point from which the NW corner of Section 20, T.19N, R.19E, MDM, bears South 88°05' East, a distance of 2,620.0 feet (Lake Ditch)
7. Proposed place of use See attached Exhibit "B" and shown on the map supporting application 62141 on file with the Division of Water Resources, State of Nevada.
8. Existing place of use See attached "Orr Ditch Decree Claim Transfer Table"
9. Use will be from as Decreed
10. Use was permitted from as Decreed
11. Description of proposed works Water will be diverted by existing S.P.P.Co. facilities, treated and placed into the existing distribution system.
12. Estimated cost of works Sierra has invested in excess of \$50 million in its water treatment and distribution system.
13. Estimated time required to construct works Completed
14. Estimated time required to complete the application of water to beneficial use one year
15. Remarks: During 1996, Sierra served an average of 63,871 non-duplicate customers and delivered approximately 22197.412 mga or 68,121.64 acre feet of water. Maximum day (7/21/96) delivery was

116.7 million gallons (358.14 acre feet). This application is transferring 274.21 acre feet for the City of Reno, 184.10 acre feet for the City of Sparks, 15.68 acre feet for Washoe County, 80.95 acre feet for Sierra Pacific Company, pursuant to the chains of title.

William K. Jewett, Agent
By s/William K. Jewett
P.O. Box 10100
Reno, NV 89520-0400

Compared lw/cms ef/gkl

Protested 8/11/97 by the City of Fallon; Pro. Overruled 8/26/98
See Ruling # 4661

APPROVAL **OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 177/204, 184/214, 198, 201, 207, 208, 208.5, 209, 211, 215 and 218, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.86 cubic feet per second, but not to exceed 533.42 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

September 29, 2016

Proof of the application of water to beneficial use shall be filed on or before:

October 29, 2016

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 29th day of September, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed _____ N/A _____

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situated within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situated within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situated within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"
PROPOSED PLACE OF USE

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.&M
E½	6&7	18	18	M.D.B.&M
ALL	8-17	18	18	M.D.B.&M
E½	18&19	18	18	M.D.B.&M
ALL	20-29	18	18	M.D.B.&M
E½	30&31	18	18	M.D.B.&M
ALL	32-36	18	18	M.D.B.&M
ALL	1-5	19	18	M.D.B.&M
E½	6&7	19	18	M.D.B.&M
ALL	8-17	19	18	M.D.B.&M
E½	18&19	19	18	M.D.B.&M
ALL	20-29	19	18	M.D.B.&M
E½	30&31	19	18	M.D.B.&M
ALL	32-36	19	18	M.D.B.&M
ALL	1-5	20	18	M.D.B.&M
E½	6&7	20	18	M.D.B.&M
ALL	8-17	20	18	M.D.B.&M
E½	18&19	20	18	M.D.B.&M
ALL	20-29	20	18	M.D.B.&M
E½	30&31	20	18	M.D.B.&M
ALL	32-36	20	18	M.D.B.&M
ALL	1-5	21	18	M.D.B.&M
E½	6&7	21	18	M.D.B.&M
ALL	8-17	21	18	M.D.B.&M
E½	18&19	21	18	M.D.B.&M
ALL	20-29	21	18	M.D.B.&M
E½	30&31	21	18	M.D.B.&M
ALL	32-36	21	18	M.D.B.&M
ALL	1-36	18	19	M.D.B.&M
ALL	1-36	19	19	M.D.B.&M
ALL	1-36	20	19	M.D.B.&M
ALL	1-36	21	19	M.D.B.&M
ALL	2-35	18	20	M.D.B.&M
W½	36	18	20	M.D.B.&M
ALL	1-12	19	20	M.D.B.&M
ALL	14-23	19	20	M.D.B.&M
ALL	26-35	19	20	M.D.B.&M
ALL	1-36	20	20	M.D.B.&M
ALL	1-36	21	20	M.D.B.&M
ALL	1-36	20	21	M.D.B.&M
ALL	1-36	21	21	M.D.B.&M

9/5/97

AMENDED

ORR DITCH DECREE CLAIM TRANSFER TABLE

CLAIM NUMBER	SEC.	TWP	RNG	DIVISION	TOTAL AVAILABLE		SPPCo PREV. TRANS.		NEW TRANSFERS		BALANCE REMAINING (not in SPPCo ownership)	
					ACRES	A.F.	ACRES	A.F.	ACRES	A.F.	ACRES	A.F.
198	15	19	19	SWSE	4.0	18.0	0.31	1.4	0.81	3.65	2.88	12.95
201	14	19	19	NWNW	7.0	32.0	1.564	7.16	0.60	2.70	4.836	22.14
204 (177)	23	19	19	NESE	37.0	157.3	1.0 (0.5)	4.25 (2.12)	1.244	5.29	34.256	145.64
204 (177)	23	19	19	SESE	35.0	148.8	(9.21)	(39.73)	0.983	4.18	24.807	104.89
207	36	19	19	NWNW	18.5	83.3	0	0	1.52	6.83	16.98	76.47
207	36	19	19	NENW	37.0	166.5	0	0	1.027	4.62	35.973	161.88
207	36	19	19	N1/2 NE	29.5	132.8	0	0	13.148	59.17	16.352	73.63
207	36	19	19	SENE	80.0	360.0	21.09	94.91	0.525	2.38	57.892	260.49
207	36	19	19	S1/2 NE					0.493	2.22		
207	31	19	20	NWNW	4.2	18.9	0	0	2.73	12.28	1.47	6.62
207	31	19	20	SWNW	22.5	101.3	3.92	17.64	8.799	39.60	9.781	44.06
208	25	19	19	NWSW	39.0	175.5	3.97	17.86	21.903	98.56	13.127	59.08
208	25	19	19	SWSW	39.0	175.5	0	0	10.68	48.06	28.32	127.44
208.5	36	19	19	SESE	40.0	172.0	0	0	6.8405	29.41	33.1595	142.59
208.5	36	19	19	SWSE	40.0	172.0	2.332	10.01	0.28	1.20	37.388	160.79
208.5	36	19	19	NESE	80.0	344.0	14.12	60.73	2.031	8.72	62.001	266.61
208.5	36	19	19	N1/2 SE			1.295	5.56	0.553	2.38		
208.5	31	19	20	SWSW	37.7	162.1	0	0	7.254	31.19	30.446	130.91
208.5	31	19	20	SESW	19.0	81.7	3.01	12.93	6.346	27.29	9.644	41.48
208.5	31	19	20	NWSW	32.7	140.6	12.77	54.92	5.023	21.60	14.907	64.08
208.5	31	19	20	NESW	5.00	21.50	0	0	1.541	6.63	3.459	14.87
209	31	19	20	NENE	37.0	138.8	5.16	19.36	6.521	24.45	25.319	94.99
209	31	19	20	SENE	25.0	93.8	1.188	4.46	1.129	4.23	22.683	85.11
211	31	19	20	SWSE	39.5	158.0	0	0	1.279	5.11	38.221	152.89
211	31	19	20	NESW	32.3	129.2	0	0	6.451	25.80	25.849	103.40
211	31	19	20	SESW	16.9	67.6	0	0	5.754	23.02	11.146	44.58
214 (184)	1	18	19	SWNE	37.8	152.0	(3.5)	(14.01)	4.96	19.84	29.34	118.15
215	1	18	19	NENE	40.1	161.0	0	0	5.33	21.30	34.77	139.70
215	1	18	19	SENE	38.5	154.0	0	0	1.56	6.23	36.94	147.77
218	1	18	19	NESE	38.5	144.4	0	0	1.112	4.17	37.388	140.23
218	1	18	19	SESE	21.5	80.6	0	0	0.75	2.83	20.75	77.77